

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

ALI AQEEL, DWIGHT SEELEY, PAMELA SEELEY, LAUREL READINGER, LEVI BARTHOLOMEW, ARIJ ALI, and MALINA ALI, individually and on behalf of all other similarly situated

Plaintiffs,

v.

LIBERTY INSURANCE CORPORATION,  
LIBERTY MUTUAL PERSONAL INSURANCE COMPANY, and SAFECO INSURANCE COMPANY OF INDIANA,

Defendants.

Civil Action No. 3:21cv181

Judge Richardson

Magistrate Judge Newbern

JURY DEMANDED

**DEFENDANTS' MOTION TO DISMISS THE CLAIMS OF DWIGHT SEELEY,  
PAMELA SEELEY, LAUREL READINGER, LEVI BARTHOLOMEW,  
ARIJ ALI, AND MALINA ALI**

Defendants Liberty Insurance Corporation (“LIC”), Liberty Mutual Personal Insurance Company (“LMPIC”), and Safeco Insurance Company of Indiana (“Safeco”) (collectively, “Defendants”) file this Motion to Dismiss the Claims of Dwight Seeley, Pamela Seeley, Laurel Readinger, Levi Bartholomew, Arij Ali, and Malina Ali (the “Out-of-State Plaintiffs”) for Lack of Personal Jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(2), Lack of Subject Matter Jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(1), and Failure to State a Claim pursuant to Federal Rule of Civil Procedure 12(b)(6) (“Motion”).

First, the Out-of-State Plaintiffs fail to satisfy their burden to prove that personal jurisdiction exists to each of the Defendants. None of the Defendants are at home in Tennessee, nor do any of the Out-of-State Plaintiffs’ claims relate to conduct undertaken by Defendants in Tennessee. Therefore, the claims of named Out-of-State Plaintiffs should be dismissed for lack of personal jurisdiction.

**MOTION TO DISMISS THE CLAIMS OF**

**DWIGHT SEELEY, PAMELA SEELEY, LAUREL READINGER,  
LEVI BARTHOLOMEW, ARIJ ALI, AND MALINA ALI**

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Second, the Out-of-State Plaintiffs lack standing to pursue claims against those Defendants which did not insure them, and therefore with whom they are contractual strangers. Because these stranger Defendants did not cause injury to the Out-of-State Plaintiffs, this Court lacks subject matter jurisdiction because no injury in fact exists. The claims against the Out-of-State Plaintiffs against the Defendants with whom they had no contractual relationship should be dismissed.

Third, the Out-of-State Plaintiffs' Complaint makes allegations only of injury caused by each Plaintiffs' specific insurer. The Complaint is void of allegations by each Out-of-State Plaintiff against the Defendants with which he or she lacked contractual privity. Therefore, the claims of the Out-of-State Plaintiffs' against the stranger Defendants should be dismissed.

Dated: May 14, 2021

Respectfully submitted,

/s/ L. Webb Campbell II  
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MOTION TO DISMISS THE CLAIMS OF

DWIGHT SEELEY, PAMELA SEELEY, LAUREL READINGER,  
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LEVI BARTHOLOMEW, ARIJ ALI, AND MALINA ALI

**CERTIFICATE OF SERVICE**

Service of the foregoing was accomplished by the Court's ECF system on this 14<sup>th</sup> day of May, 2021, upon the following:

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